

BEFORE THE FISH, WILDLIFE AND PARKS COMMISSION
OF THE STATE OF MONTANA

In the matter of the repealing of a)	
temporary emergency rule closing the)	NOTICE OF REPEAL OF A
Missouri River from American Bar)	TEMPORARY EMERGENCY RULE
Gulch to Beartooth Landing, Lewis)	
and Clark County, MT)	

TO: All Concerned Persons

1. On July 26, 2007, the Fish, Wildlife and Parks Commission (commission) adopted a temporary emergency rule closing the Missouri River from American Bar Gulch to Beartooth Landing. There was an immediate need for a source of water for aircraft dropping water on fires along and adjacent to the Missouri river in the Gates of the Mountains and Upper Holter Lake. This situation constituted an imminent peril to the public health, safety, and welfare of anyone using the river. Within the rule, the commission delegated its authority to the Department of Fish, Wildlife and Parks to determine, in consultation with the commissioner in the region, when the river was again safe for public use.

2. As conditions have substantially changed and public safety is no longer an issue, the temporary emergency rule closing the Missouri River from American Bar Gulch to Beartooth Landing, MAR 12-334, is no longer necessary. As this situation no longer constitutes an imminent peril to public health, safety, and welfare, the commission is repealing the rule. The repealing of the rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be removed at access points. The repeal notice will be sent to interested parties, and published in Issue No. 15 of the 2007 Montana Administrative Register.

3. The repealing of the temporary emergency rule is effective August 5, 2007, 8:00 a.m. Mountain Daylight Savings time.

9. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

/s/ M. Jeff Hagener
M. Jeff Hagener,
Secretary
Fish, Wildlife and Parks Commission

/s/ Robert N. Lane
Robert N. Lane
Rule Reviewer

Certified to the Secretary of State August 5, 2007.